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HistoricNewEngland.org

January 4, 2023

Burlington Development Review Board
Department of Permitting & Inspections
645 Pine Street
Burlington, VT 05401

RE: Cathedral of the Immaculate Conception, 20 Pine Street, Burlington, Vermont

Dear Members of the Development Review Board:

I write on behalf of Historic New England, the oldest, largest, and most comprehensive regional preservation organization in the U.S., to express our deep concern regarding the application to demolish the Cathedral of the Immaculate Conception at 20 Pine Street.

The composition of building, structure, and landscape at 20 Pine Street reflect an exceptional collaboration among internationally renowned architects and landscape architects who, together, crafted one of the country's great Mid-Century Modern church complexes. The property is historically significant for its architectural design, its associations with Edward Larrabee Barnes and Dan Kiley, and its response to the 2nd Vatican Council's call for updates to church architecture. This significance has been underscored by countless individuals and organizations who have written in opposition to the proposed demolition.

The applicant argues that protecting the property's historic and cultural significance is outside the authority of the Development Review Board. However, Historic New England's review of the relevant state statutes and local regulations suggests otherwise.

24 V.S.A. § 4413 allows the City's zoning regulations to be applied to property, "to the extent that regulations do not have the effect of interfering with the intended functional use" as "churches and other places of worship, convents, and parish houses." The application letter from Monsignor Routhier dated October 27, 2022, contends that the goal of the demolition is to "remove the Church of the Immaculate Conception (the "Church")," from 20 Pine Street and "desanctify the Church and take this property out of liturgical use." The letter notes that the property is currently under contract and continues that, "After the property has been cleared and

the transaction successfully executed, I expect the proposed buyer will, in a reasonable time period, submit an application to the City for the redevelopment of the property.” Whether the property remains in Parish ownership during a nominal negotiation and closing period, these statements make clear that the *intended functional use* of the property is not as a church or other place of worship and therefore the City is not interfering with a protected use under 24 V.S.A. § 4413 by applying the Regulations on Historic Buildings and Sites as part of its review.

Section 5.4.8.a. of the Citywide General Regulations states that the Regulations on Historic Buildings and Sites “shall apply to all buildings and sites in the city that are listed, or eligible for listing, on the State or National Register of Historic Places.” The regulation follows with a list of criteria for such listing, but, in fact, it is not within the City’s power to determine what is or is not eligible for listing at the state or federal level. While 5.4.8.a.1 suggests that sites less than fifty years old are not eligible for listing, the National Register Criteria for Evaluation takes precedent over the local regulation and contains express provisions for newer properties to be declared eligible through *Criterion G: Properties That Have Achieved Significance Within the Past Fifty Years*. The significance of 20 Pine Street clearly meets the requirements of Criterion G, as was determined when the property was reviewed relative to another project in 2013.

Although the Cathedral of the Immaculate Conception has lost its religious value to the Catholic church, it retains substantial cultural value to the community of Burlington and indeed the entire New England region and beyond. It would be a terrible loss to allow such a stunning work of architecture to be demolished and to allow the property to become a vacant lot with a hypothetical future entirely detached from the historic significance of the site. Protections for religious practice are designed to prevent religious discrimination and unfair regulation on religious practices, not to allow a religious land owner to protect a buyer from regulations in order to close a sale. We strongly urge you to deny the application.

Thank you for your consideration.

Sincerely,

Carissa Demore

Carissa Demore
Team Leader for Preservation Services